

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 DOMAIN VAULT, LLC, et al.,)

Case No. 2:18-cv-000185-JCM-CWH

5 Petitioners,)

6 v.)

7 PRV, LTD.,)

ORDER

8 Respondent.)
9 _____)

10 Presently before the Court is Petitioners' motion to quash (ECF No. 1), filed on February 1,
11 2018. On February 14, 2018, Petitioners filed a certificate of service (ECF No. 4), certifying that
12 Respondent had been served with the motion. No party has filed a response. The petition, styled as
13 a motion to quash, seeks an order to transfer the matter of Respondent's subpoena to the Bankruptcy
14 Court for the Eastern District of Texas, which issued the subpoena. Petitioners argue that the subject
15 subpoena, served by Respondent PRV, LTD. upon Name.com, Inc., presents exceptional
16 circumstances warranting transfer to the issuing Court.

17 Federal Rule of Civil Procedure 45(f) allows for transfer of a motion to quash a subpoena by
18 a Court where compliance of the subpoena is sought, to the court that issued the subpoena. Such a
19 transfer may be made upon a finding of exceptional circumstances. Here, Petitioners allege that
20 Respondent is a vexatious litigant, and has no right to the subpoenaed material.

21 Under Local Rule 7-2(d), the "failure of an opposing party to file points and authorities in
22 response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees,
23 constitutes a consent to the granting of the motion." As no response has been filed, the Court will
24 grant the motion.

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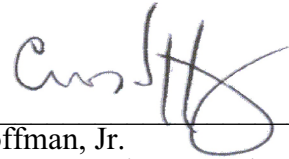
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1 IT IS THEREFORE ORDERED that Petitioners' motion to quash (ECF No. 1) is
2 GRANTED. The Clerk shall TRANSFER this motion to the Bankruptcy Court for the Eastern
3 District of Texas.

4 DATED: March 8, 2018



C.W. Hoffman, Jr.
United States Magistrate Judge